SUBJECT No. 16.

Modification of Section (7) of the Village Offices Regulation.

Mr. Hutchviregowda, Gubbi taluk.

Summary of discussion.—Rule 7 of the Village Offices Regulation is likely to act harshly, as represented in Subject No. 13 of 1909, upon the interests of patels and shanbhogs, as it empowers the Deputy Commissioner to deprive them of their hereditary right for misconduct. This rule may be so amended as to admit of appeals being preferred to the Revenue Commissioner or Councillors against the order of the Deputy Commissioner.

Reply of Government.—The existing provision is enough, more especially as under it there is scope for revision.

SUBJECT No. 17.

Amendment of Rule 3 of Order XXXII of the new Code of Civil Procedure.

Mr. M. Lakshminarasimhachar, Hassan taluk; Mr. C. Krishnamurti, Bangalore City Municipality and Mr. Venkatasamaiya, Nanjangud taluk.

Summary of discussion.—When a suit is instituted against a minor, a guardian is appointed to conduct the suit for such minor on an application of the plaintiff who supports his application by affidavit under para (3) Rule 3 of Order XXXII of the new Code of Civil Procedure (Regulation III of 1911); but by para (4) of the same rule and order it is directed that no order (appointing a guardian) shall be made on any application under the rule except upon notice to the minor and his guardian. This direction seems to be inconvenient when the minor is only an infant not capable of receiving the notice or understanding its contents, even when explained to him. The issue of such notice to the said minor defendant is to burden him with costs, but to no effect. It is therefore prayed that the rule may be amended to the effect that such notice to a minor may be issued when he is only above eight years of age at least and that no notice be issued to him otherwise.

Reply of Government.—The matter may be placed before the Rule Committee for consideration.

SUBJECT No. 18.

Amendment of the Civil Procedure Code.

Messrs. U. Shiva Rao and Manjiah, Chikmagalur Municipality; C. Subba Rao, Shimoga Municipality; and M. C. Rangiengar, Mysore City Municipality.

Summary of discussion.—Rule 89 *re* application to set aside sale on deposit, of Order XXI of the Civil Procedure Code may be amended to enable an innocent person, who had acquired an interest in good faith before the sale in some of the properties sold, to apply for the setting aside of the sale of those particular lots of property on payment of the prescribed percentage and purchase money of those lots only.

The corresponding Section 310 A of the old Civil Procedure Code may be enacted, or the amendment, as prayed for, made.

Per contra.

Mr. Rangiengar stated that the matter was considered by the Select Committee in the Code of Civil Procedure Bill of which he was a member and as a result

of careful deliberation it was considered expedient to follow the British Indian Code which contained no such provision as that wanted.

Reply of Government.—No change in the existing law is considered necessary at present.

SUBJECT No. 19.

Amendment of Court Fees Regulation or the modification of Notification No. 2951 of 25th March 1908.

Messrs. E. Rama Rao, Venkatasamiah and Padmanna, Nanjangud taluk; and B. Narasinga Rao, Seringapatam Municipality.

Summary of discussion.—Whenever a suit is filed to recover a portion of a survey number, it is not clear either from the Court Fees Regulation or from Government Notification No. 2951, dated 25th March 1908, how the court fee is to be recovered. If the market value of the portion of the land is greater than five times the assessment on the entire number, it may be ordered that stamp may be recovered on the amount equal to five times the assessment.

Reply of Government.—Under consideration.

SUBJECT No. 20.

Amendment of the Court Fees Regulation.

Messrs. E. Rama Rao, Venkatasamiah and Padmanna, Nanjangud taluk; and V. Raghavachar, Mysore taluk.

Withdrawn.

SUBJECT No. 21.

Amendment of the Breach of Contract Act.

Mr. Mahalinganna, Hassan taluk.

Summary of discussion.—With a view to secure the services of labourers, the agriculturists are in the habit of entering into contract with them, settling yearly wages and then advancing money to them for their marriage expenses, etc. The masters or employers usually feed and clothe such labourers. But in spite of these concessions, the labourers neglect or refuse to perform such work without any lawful excuse. Consequently great loss is sustained by the employers. Now they have no other remedy than to resort to the Civil Courts. It is therefore prayed that in such cases the Breach of Contract Act be made applicable.

Reply of Government.—This cannot be done. The Act is a special Act intended for a special purpose and has to be strictly applied.

SUBJECT No. 22.

Offences under the Breach of Contract Act, No. XIII of 1859, to be made extraditable.

Messrs. B. Kesaviah, Chikmagalur taluk; and Pilkington, North Mysore Planters' Association.

Summary of discussion.—Offences under the Breach of Contract Act, XIII of 1859, may be made extraditable, as coolies to whom moneys are advanced run away beyond the State, and do not come back and it becomes impossible to get them back for work.

Reply of Government.—The representation is reasonable. The sanction of the Government of India is necessary and another reference will be made.

SUBJECT No. 23.

Amendment of the Mysore Jail Manual.

Mr. B. Narasinga Rao, Seringapatam Municipality.

Summary of discussion.—The humane provision in the Mysore Jail Manual regarding the discharge of a convicted prisoner who is ill and in whose case the Medical Officer has little or no hope of recovery except from